

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

IN RE

GERARDO MEJIAS DELGADO
CANDIDA CRUZ MELENDEZ

DEBTORS

* CASE NO. 09-02351 BKT
*
* CHAPTER 13
*
*

**DEBTORS' MOTION REQUESTING ORDER
RE: AUTHORIZATION TO USE FUNDS FROM TAX REFUND**

TO THE HONORABLE COURT:

NOW COME, GERARDO MEJIAS DELGADO and CANDIDA CRUZ MELENDEZ, debtors, through the undersigned attorney, and very respectfully state and pray as follows:

1. The debtor's confirmed Plan dated April 18, 2011, as modified, provides that debtors' tax refunds will be paid into the Plan. See docket no. 55.
2. The debtors have received their 2010 tax refund in the sum of \$2,180.00. Attached is copy of the check as received from the Treasury Department of Puerto Rico, dated June 21, 2011.
3. The debtors respectfully submit to the Court that they need to use these funds to pay for: truck mechanical repair. Attached is copy of cost estimate for the truck repairs.
4. The debtors need to use the funds from the 2010 "tax refund" to pay for this reasonable expense. The debtors use this truck to earn their monthly income. Furthermore, the debtors are living within a very "tight" budget which barely covers their daily expenses and a Plan payment of \$250.00. This Plan pays general unsecured creditors in full (100% plus 6% interest).
5. Based on the abovestated, the debtors respectfully request this Court to Order the authorization of the use of these funds to allow the debtors to pay for this expense with

Page - 2-
Debtor's Motion Requesting Order
Case no. 10-09764 BKT13

their "tax refund".

WHEREFORE, debtors, through the undersigned attorney respectfully request that this Honorable Court grant the foregoing motion and allow the use of the funds from the 2010 tax refund by the debtors to pay for the above stated expense.

NOTICE: Within fourteen (14) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006 (f) if you were served by mail, any party against whom this paper has been served, or any other party to the action that objects to the relief sought herein shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.

I CERTIFY that on this same date a copy of this motion was filed with the Clerk of the Court using the CM/ECF system which will send notice of same to the Chapter 13 Trustee, Alejandro Oliveras Rivera, Esq.; I also certify that a copy of this motion was sent via US Mail to Gerardo Mejias Delgado and Candida Cruz Melendez, HC 03 Box 37840 Caguas PR 00725.

RESPECTFULLY SUBMITTED. In San Juan, Puerto Rico, this 28th day of June, 2011.

/s/ Roberto Figueroa Carrasquillo
ROBERTO FIGUEROA CARRASQUILLO
USDC #203614
ATTORNEY FOR PETITIONER
PO BOX 186 CAGUAS PR 00726
TEL NO 787-744-7699 FAX 787-746-5294
Email: rfc.rfclaw@gmail.com

FECHA	NUMERO DE COMPROBANTE	DESCRIPCION/CONTRATO	FACTURA/OPE	IMPORTE DEL COMPROBANTE
21/06/11	000051	REINT 2010 5884	----	\$****2,180.00

	DIA	MES	AÑO
15869849	21	06	11
NUMERO DE CHEQUE	FECHA EMISION		

ESTADO LIBRE ASOCIADO DE PUERTO RICO

RETENGA ESTE TALON
PARA SUS RECORDS.

Ver al dorso para detalles de los mecanismos de seguridad / See reverse side for Countermeasures security features.

Modelo SC 784.3
31-ENERO-2006

 HACIENDA
ESTADO LIBRE ASOCIADO DE PUERTO RICO

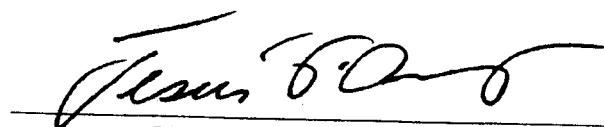
REINT 2010	DIA	MES	AÑO	DIA	MES	AÑO	IMPORTE
	21	06	11	21	12	11	15869849 \$****2,180.00
	FECHA EMISION			VENCE EN			NUMERO DE CHEQUE

DOS MIL CIENTO OCHENTA DOLARES CON NO/100

GERARDO MEJIAS DELGADO Y
CANDIDA CRUZ MELENDEZ

584545884




SECRETARIO DE HACIENDA

158698494 0215021181 325040103



TALLER DELGADO

ESTIMATE OF REPAIRS

Hojalatería y Pintura

Soldadura

787 2479878

NO. C001072C
L-7282

Barrio Tomás de Castro 1,
K5 H5 Caguas, P.R. 00625

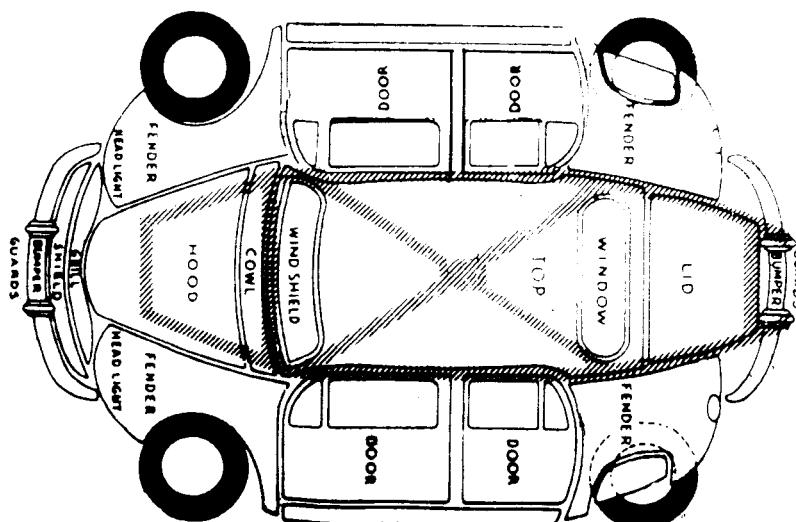
Juan Delgado

Presidente

Presidente SHEET NO 1000726 SHEETS

Turf Color Blanco K!

NAME <i>Geraldo Meios Olgado</i>		ADDRESS <i>Barrio Lomas de Costas</i>	DATE <i>13/6/5011</i>	
NAME OF CAR <i>Mark</i>	YEAR <i>57</i>	TYPE <i>GM Mark</i>	LICENSE NO. MILEAGE MOTOR NO. SERIAL NO.	
INSURED BY <i>F</i>	ADJUSTER <i>H 5841</i>	INSPECTOR	PHONE HOME BUSINESS <i>6854864</i>	CAR LOCATED AT <i>789</i>



TOTAL			
WRECKER SERVICE			
TAX			
TOTAL ESTIMATE			
INSURED PAYS	AS TO PAYS	W.O.N.	
\$	\$	<u>\$ 2,050.00</u>	
INS. CHECK PAYABLE TO			
<p>The above is an estimate, based on our inspection, and does not cover additional parts or labor which may be required after the work has been opened up. Occasionally, after work has started, worn, broken or damaged parts are discovered which are not evident on first inspection. Quotations on parts and labor are current and subject to change.</p>			
EST. MADE BY			
<i>John Olyar</i>			
AUTHORIZATION FOR REPAIR			
SIGNED	DATE		